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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RUDY, ANDREW J

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 11/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/636,448

Applicant(s)

ZAPIEC ET AL.

Examiner

Andrew Joseph Rudy

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's 19 May 2002 Amendment has been received. Claims 1-27 are pending. The previous rejection is withdrawn.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features from the claims, e.g. claim 1 "one or more users . . . generating reports based on the access time" . . . a processor . . . system functions independently of an Internet service provider" must be shown or the feature(s) canceled from the claim(s). Likewise, the other claimed features from dependent claims 2-14 and claims 15-27 not illustrated must be illustrated in order to be in compliance. Applicant is advised to review each claim limitation in juxtaposition to the drawings to ascertain what is lacking regarding this issue. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 4, “each said user” is a plural claim limitation while from line 2 only one user need access the Internet. Thus, it is not clear what is being claimed.

Claim 1, lines 10-11, it is not clear how/where “a processor that processes each said user’s Internet access time” from the disclosure.

Claim 1, lines 14, 15, are not clear what is being claimed in relationship to the disclosure.

Claim 3, lines 2, 3, “the active user” lacks antecedent basis.

Claim 5, line 2, “the user client matters” is a plural claim limitation while from claim 1, lines 2, 3, only one client matter is required. Thus, it is not clear what is being claimed.

Claim 6, line 2, “the active user” lacks antecedent basis.

Claim 7, line 2, “user clients” is not clear as only a singular client need use the Internet.

Claim 10, line 2, “the active user” lacks antecedent basis.

Claims 12, 13, 14, line 2 of each, “each said user’s” and “a said user’s” and “of said user’s” are not clear.

Claim 15, lines 4, 5, “by each said user” is not clear in juxtaposition to “one or more users” from line 2.

Claim 15, line 8, “monitoring each said user’s” is not clear in juxtaposition to “one or more users” from line 2.

Claim 15, line 9, “the active user’s access time” lacks antecedent basis and is not clear in juxtaposition to “one or more users” from line 2.

Claim 17 is not clear in juxtaposition to the disclosure. Where is access time in relationship to a plurality of Internet sessions disclosed?

Claim 19, line 2, “the corresponding user client” lacks antecedent basis.

Claim 22, line 2, “the active user” lacks antecedent basis and is not clear.

Claim 23, lines 1, 2, “a said user’s” lacks antecedent basis and is not clear.

Claim 24, line 2, “a system service provider” is not clear in relationship to the disclosure.

Claim Rejections - 35 USC § 103

5. Claims 1-27, as understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Horne et al., US 6,128,601 or US 5,987,430, or Crawford, US 6,014,651.

6. Van Horne discloses one or more users upon successful log-on that monitors Internet access time and generates a report comprising various parameters, e.g. cost factors associated with usage time 572, 574, regarding client matters to generate billing data. Van Horne’s system

may function independent upon an Internet service provider. To provide a professional time tracker activated by a successful active log-on to generate a plurality of reports in an Internet use environment for either Van Horne reference would have been obvious to one of ordinary skill in the art. Doing such would use well known Internet accessing means. The history module may be no more than a composite bill usage 440 generated over a period of time that a professional used in order to accomplish his/her task at hand. It is deemed that both Van Horne's broadly analyze the data generated as the client access data is culled and displayed, if approved/rejected, for review. Using a printer to display results is common knowledge within the computer art and to provide such for either Van Horne reference is deemed an obvious design choice.

7. Crawford discloses a computer system, including a printer, that monitors Internet access time and generates a report comprising various parameters, e.g. see Figs 21-22. To provide a professional time tracker activated by a successful active log-on to generate a plurality of reports in an Internet use environment for Crawford would have been obvious to one of ordinary skill in the art. As understood, Crawford analyzes the data generated. It is noted that analyzing data in an Internet environment is well known in the computer art.

It is noted that Applicant's intended use claim limitations, e.g. claim 1, line 2, "for purposes related to" do not add any substantive limitations.

8. Applicant's IDS prior art citation has been reviewed. Note enclosed PTO-1449.

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9. Further pertinent references of interest:

Bisbee et al., US 6,367,013, discloses a date-time stamp and digital signature for Internet access.

Mundy et al., US 6,317,792, discloses an access monitoring system.

Hajmiragha, US 6,289,460, discloses a remote document data management system.

Thompson et al., US 6,282,552, discloses electronic billing format data.

Ferguson et al., US 5,819,902, discloses Internet access based on a fee schedule.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Joseph Rudy whose telephone number is 703-308-7808. The examiner can normally be reached on Tuesday thru Friday, 7:30 a.m until 6 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Robert Olszewski can be reached on (703) 308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

November 1, 2002

